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Assistant Commissioner for Patents  
Washington, D.C. 20231 On October 24, 2002

PATENT  
Attorney Docket No.: 016807-001530US

TOWNSEND and TOWNSEND and CREW LLP

By: JoAnn Evangelista  
JoAnn Evangelista

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ROBERT S. BEHL et al.

Application No.: 09/832,497

Filed: April 11, 2001

For: APPARATUS AND METHOD FOR  
TREATING TUMORS NEAR THE  
SURFACE OF AN ORGAN

Examiner: KEARNEY, R.

Art Unit: 3739

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**RESPONSE TO  
RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed September 16, 2002,  
Applicants respectfully elect to prosecute the claims of Group II (claims 32-55, 57, 58, 63  
and 64) classified in class 607, subclass 099, without traverse.

If for any reason the Examiner believes that a telephone conference would  
in any way expedite prosecution of the subject application, the Examiner is invited to  
telephone the undersigned at 650-326-2400.

Respectfully submitted,

James M. Heslin  
Reg. No. 29,541

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